

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42388 of 2014

Arising Out of PS.Case No. -209 Year- 2014 Thana -KHAZANIHAT District- PURNIA

Lallu Das son of Late Kamal Das resident of Village Shib Mandir Shankar
Chowk Tatma Toli, P.S. K. Hat, District Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party: APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-02-2015

Heard both sides.

Petitioner, Lallu Das, seeks bail in K. Hat (Sahayak)

P.S. Case No.209 of 2014, registered for the offence punishable
under Section 304 B of the Indian Penal Code.

The mother of the deceased alleged that her daughter
was married to the petitioner one year and half years ago but the
petitioner was subjecting her daughter to physical and mental
torture. Even before one month of the occurrence, her daughter
came to her house as her husband had assaulted. Petitioner took
her a week ago to his own house but she was killed.

Learned counsel for the petitioner submits that of
course, petitioner is the husband of the deceased but there is no
eye-witness of the occurrence. During course of investigation, no
independent witness has stated that the deceased was addicted

to Gul and for that, some altercation took place. She herself committed suicide by hanging.

On perusal of the record it appears that the mother of the deceased made very specific allegation that the petitioner was always subjecting her to physical and mental torture. Even the brother of the deceased made the same and similar allegation. From the post mortem report it appears that the victim died on account of the hanging. The deceased died within one year and half years of marriage and the petitioner is the husband.

Hence, I am not inclined to grant bail to the petitioner. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt of a copy of this order. If the trial is not concluded within the aforesaid period, petitioner may renew his prayer for bail firstly before the trial court.

(Prabhat Kumar Jha, J)

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